TRANSMITTAL					Application Number		10/748,761			
			Filing Date			12/30/2003			DEOT:	
FORM (to be used for all correspondence efter initial filing)				First Named Inventor		Pflueger	,	CE	RECEIVED NTRAL FAX CENTER	
				Group Art Unit		3743				
			Examiner Name			Lopez, AS			AUG 2 5 2006	
Total Number of Pages in This Submission			Attorney Docket Number			D-3090				
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Amendment/Reply		ily 🔲 F	Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)				İ	
l	After Final		Petition to Convert to a Provisional Application		Proprietary Information					
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Information Disclosure Statement			CD, Number of CD(s)					•••		
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	Response to Parts under 1.52 or 1.53	37 CFR								
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Signature Janet METZE										
Typed or printed name Janet McGhee Date 8/35/06										
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D-3090

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AUG 2 5 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

: 10/748,761

Confirmation No.

2723

Applicant

: PFLUEGER

Filed

: December 30, 2003

Title

: STENT FOR MAINTAINING PATENCY OF A BODY REGION

TC/A.U.

: 3743

Examiner

: Lopez, A. S.

Docket No. : D-3090

Customer No. : 33197

CERTIFICATE OF FACSIMILE TRANSMISSION

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

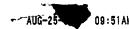
Sir:

The above-identified application has been carefully reviewed in light of Election of Species Requirement mailed July 25, 2006.

Election between Species 1-10 has been required. Applicant provisionally elects Species 3, shown in Figs. 3A-C. All of the present claims, that is claims 1-17 read on Species 3.

Applicant traverses the Election of Species Requirement.

All of the present apparatus, for example, all of the apparatus shown or illustrated in the drawings of the aboveidentified application, are for maintaining patency of a vessel or other region of a human or animal body. All of such apparatus, thus, are closely related. Further, it is submitted that the Patent and Trademark Office would not be unduly



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burdened in considering all of the present apparatus in the above-identified application.

In view of the above, applicant respectfully requests the Examiner to withdraw the Election of Species Requirement and to consider all of the apparatus disclosed in the above-identified application and all of the present claims in the aboveidentified application.

Applicant requests early and favorable action in the aboveidentified application.

Respectfully submitted,

Date: 8/25/06

Attorney for Applicant Registration No. 25,612 4 Venture, Suite 300 Irvine, California 92618 (949) 450-1750

(949) 450-1764 Facsimile